

THE BOARD OF EXAMINERS OF PSYCHOLOGY MINUTES

August 2, 2004

A regular meeting of the Board of Examiners of Psychology was held at the Division of Occupations, 911 Leawood Drive, Frankfort, Kentucky on August 2, 2004.

MEMBERS PRESENT

Tracy Dwight Eells, MBA, Ph.D., Chair
Henry S. Davis, Ph.D., Vice Chair
Ruth Bauman
Richard Applegate, M.A.
Courtney N. Spear, M.A.
Barbara Kay Jefferson, Ph.D.
Andrew B. Jones, Jr., Ph.D.
S. Abby Shapiro, Ph.D.

OCCUPATIONS & PROFESSIONS STAFF

John Parrish, Director
Wendy Satterly, Board Administrator

OTHERS PRESENT

Mark Brengelman, Assistant Attorney General

MEMBERS ABSENT

Diane Sobel, Ph.D.

CALL TO ORDER

Tracy Dwight Eells, M.B.A., Ph.D., Chair called the meeting to order at 10:00 a.m.

ANNOUNCEMENT

Mr. Parrish introduced himself as the newly appointed Director of the Division of Occupations and Professions and informed the Board that he was looking forward to working with them.

MINUTES

The minutes of the June 7, 2004 meeting were called to the attention of the members. A motion was made by Dr. Davis to approve the minutes, as presented. Motion, seconded by Dr. Jefferson, carried.

The minutes of the July 15, 2004, special meeting were called to the attention of the members. A motion was made by Ms. Spear to approve the minutes, as amended. Motion, seconded by Dr. Davis, carried.

FINANCIAL STATEMENT

The Board reviewed the financial statements indicating a balance of \$152,743.72 as of June 30, 2004 and for year end fiscal year 2004, indicating a balance of \$152,364.07. A motion was made by Dr. Davis to accept the financial statement. Motion, seconded by Mr. Applegate, carried.

Ms. Ellis, with the fiscal section, presented the Board with the updated *Guidelines for Travel and Per Diem for Board Members* brochure for review. Ms. Ellis informed the Board that the mileage rate for travel would be adjusted every quarter depending on the price of gasoline.

COMPLAINTS

Case 02-03, 03-03 - The Board reviewed a draft Settlement Agreement in this matter. A motion was made by Ms. Spear to approve the Settlement Agreement as presented. Motion, seconded by Dr. Shapiro, carried. Drs. Eells, Davis and Mr. Applegate recused from voting on the motion.

Case 03-18 - The Board reviewed a draft Settlement Agreement in this matter. A motion was made by Dr. Jefferson to approve the Settlement Agreement as presented. Motion, seconded by Dr. Shapiro, carried. Drs. Eells, Davis and Mr. Applegate recused from voting on the motion.

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Case 04-08 - The Board reviewed an investigative report in this matter upon summary by the Complaint Screening Committee with the assistance of counsel. A motion was made by Dr. Jefferson to dismiss the complaint for lack of evidence to support a violation of the law and regulations. Motion, seconded by Dr. Shapiro, carried. Drs. Eells, Davis and Mr. Applegate recused from voting on the motion.

Case 04-16 - The Board reviewed additional information from an educator with a doctorate in psychology upon summary by the Complaint Screening Committee with the assistance of counsel. A motion was made by Dr. Shapiro to send a "Cease and Desist" letter to the psychologist. Motion, seconded by Dr. Jefferson, carried. Drs. Eells, Davis and Mr. Applegate recused from voting on the motion. The Board requested that Mr. Brengelman draft correspondence for the Board in this matter.

COMMITTEE REPORTS

CONTINUING EDUCATION COMMITTEE

No report.

EXAMINATION COMMITTEE

Dr. Shapiro presented for the Board's review revised structured oral examination vignette questions and mental health and licensing law questions. After review, the Board decided to defer the matter and hold a work session after the October 4, 2004, Board meeting for the purposes of revising the oral examination. Dr. Shapiro also presented for the Board's review a draft letter to be sent to oral examiners for the upcoming exam to be held on Friday, September 10, 2004, which outlined their responsibilities in the administration of the examination. The Board, by consensus, approved the letter, as presented.

SUPERVISION COMMITTEE

No Report

CREDENTIALS REVIEW COMMITTEE

Dr. Jefferson discussed with the Board the content of application approval form letters presently being sent to applicants, stating that the sentence "*You must schedule the EPPP examination within 30 day of receipt of the test materials and take the EPPP within sixty (60) days of receipt of your "authorization to test" letter from the testing service*" appears to be confusing to applicants when scheduling their examination. After discussion, the Board decided that the best way to clarify timing on taking the EPPP is to change the regulations.

DISCIPLINED PSYCHOLOGISTS REPORT

The Board reviewed correspondence from Rollin Rhodes, Ph.D., supervisor for Donna Nichols Rogers, Psy.D. requesting a change in supervisors due to her current job location. Dr. Rogers also provided a list of potential supervisors. A motion was made by Dr. Davis to approve Michael Nicholas, Ph.D. or P. Timothy Harris, Ph.D., as her new supervisor. Motion, seconded by Dr. Shapiro. The Board requested that Mr. Applegate, Board Liaison contact each of them in this matter.

EXPIRED LICENSURE/CERTIFICATE REPORT

The Board reviewed a list of licensed psychologists/certified psychologists whose license/certificates had expired and had not been renewed within the ninety (90) day grace period. A motion was made by Ms. Spear to send a "certified letter" to each individual notifying them that their license/certificate was being cancelled and that in order to be reinstated they would need to submit the appropriate renewal fee plus a penalty fee of \$100. Motion, seconded by Dr. Davis, carried.

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OLD BUSINESS

Dr. Eells gave an update from the Board retreat regarding the regulations. He anticipated that the final draft of each regulation under revision would be available for review and approval at the Board meeting to be held on Monday, August 30, 2004, for filing with the Legislative Research Commission by September 15, 2004.

The Board reviewed and noted the press release regarding Roxanne Brinley, Ph.D.

The Board reviewed correspondence from Donald Beal, Ph.D., Coordinator of Clinical Training with Eastern Kentucky University dated May 2, 2004, requesting the Board to accept a lower level statistics or lower level methods course taught at the University of Kentucky as meeting educational requirements for the licensed psychological associate credential. A motion was made by Ms. Spear to deny his request based upon 201 KAR 26:210 Section 2. Motion, seconded by Dr. Shapiro, carried. The Board also reviewed correspondence from Dr. Beal dated June 22, 2004, stating that two students would be adversely affected if the Board denied accepting a lower level course. The Board agreed with Dr. Beal, but also acknowledged that the Board did not have the authority to grant a ninety (90) day extension, as requested for completing additional course work. Dr. Eells agreed to draft correspondence for the Board in this matter.

A motion was made by Dr. Davis to no longer accept undergraduate coursework as meeting educational requirements for a psychology credential, effective July 2006, in order to give training programs time to adapt. Motion was tabled until the next Board meeting to be held on Monday, August 30, 2004.

The Board reviewed the current investigative report outline along with suggested changes from Dwight Auvenshine, Ph.D., investigator for the Board, and Dr. Eells and Mr. Brengelman. The Board decided to defer discussion on this matter until the next Board meeting.

NEW BUSINESS

The Board agreed to defer discussion of the proposed revisions to the ASPPB Code of Conduct until its next meeting.

The Board reviewed and noted email from Dr. Eells to Robert Lipkins, Psychology Program Director with PES regarding the timing of EPPP score reports to psychology Boards.

Correspondence was reviewed from Christie I. Floyd, Assistant Commonwealth's Attorney in Louisville, Kentucky, regarding the practice of psychology by a person not credentialed by this Board. A motion was made by Ms. Spear to initiate a Board initiated complaint against the individual. Motion, seconded by Dr. Shapiro, carried.

E-mail was reviewed from Thomas C. Noyes, Ph.D. requesting advice as to the transfer of patient records. The Board determined that this particular issue is not covered by the psychology law and regulations, but by other law. Dr. Davis agreed to draft a response for the Board.

The Board reviewed and noted a memorandum from Robert Lipkins, Ph.D., Psychology Program Director for PES to U.S. and Canadian licensing jurisdictions announcing improvements and changes in the administration of the EPPP.

The Board reviewed a memorandum from ASPPB announcing the 2004 ASPPB Annual Meeting to be held October 20-23, 2004, in Atlanta, Georgia and the Application for Financial Assistance for Jurisdictional Representation at ASPPB Meetings. The Board, by consensus, asked that Drs. Eells, Shapiro, and Davis attend the meeting and that staff complete and return the application for financial assistance.

MINUTES

The Board reviewed and noted the minutes of the ASPPB Board of Directors Meeting that was held on April 20, 2004, in Montreal, Quebec, Canada.

Correspondence from reviewed and noted from Judith S. Blanton, Ph.D., ABPP with RHR International Company regarding licensing issues pertaining to I/O psychologists.

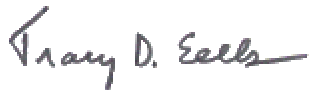
Correspondence was reviewed and noted from Jill LeMaster, Executive Director of the Executive Branch Ethics Commission introducing a Model Code of Ethics for State Boards and Commission Members. Mr. Parrish stated that if the Board presently had a Code of Ethics it should be forwarded to the Ethics Commission.

Correspondence was reviewed from Bryan Carter, Ph.D. with the Postdoctoral Fellowship Program in Pediatric/Child Psychology with the University of Louisville School of Medicine, requesting that candidates for licensure as a psychologist be allowed to sit for the oral examination prior to completing the required year of postdoctoral supervision. The Board requested that a letter be sent to Dr. Carter informing him that the law does not allow for a candidate to sit for the exam prior to completing their postdoctoral supervision and that the Board now offers the oral examination four (4) times a year in order to exam as many candidates as possible. Dr. Shapiro agreed to draft correspondence for the Board in this matter.

A motion was made by Ms. Bauman to approve payment of travel expenses and per diem compensation for eligible members in attendance at today's meeting. Motion, seconded by Ms. Spear, carried.

The next scheduled Board meeting is to be held on Monday, August 30, 2004, at 10:00 a.m. at the Division of Occupations and Professions, 911 Leawood Drive, Frankfort, Kentucky.

The meeting adjourned at 12:50 p.m.



Approved